

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE HERLEY INDUSTRIES, INC.
SECURITIES LITIGATION

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Civil Action No. 06-CV-2596

**MOTION IN LIMINE NO. 3: TO EXCLUDE PLAINTIFF FROM INTRODUCING
EVIDENCE OR ARGUMENT REGARDING THE CALCM PROJECT**

Defendants Herley Industries, Inc. (“Herley”), Lee Blatt (“Blatt”), Myron Levy (“Levy”), Anello C. Garefino (“Garefino”), Thomas V. Gilboy (“Gilboy”), and John M. Kelley (“Kelley”), by and through their undersigned counsel, respectfully submit this Motion in Limine No. 3: To Exclude Plaintiff From Introducing Evidence or Argument Regarding the CALCM (“Conventional Air Launched Cruise Missiles”) Project pursuant to Federal Rules of Evidence 402 and/or 403. For the reasons set forth in the attached Memorandum of Law, which is incorporated by reference, Defendants respectfully request that an Order be entered in the proposed form attached.

April 7, 2010

Respectfully Submitted,

/s/ James T. Smith

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